

From: Gerard Sillam [mailto:sillamgerard@gmail.com]
Sent: Thursday, July 30, 2015 7:27 AM
To: Sucharow, Lawrence
Cc: Keller, Christopher J.; Belfi, Eric J.; GeoAlfo@aol.com; Stocker, Michael W.

Subject: Re: Email of July 22

Larry,

Can you name a single French asset manager who has used or is using litigation funding for litigating for a fund that he is managing? For various reasons it is not used here. The funds managers are also the legal representative of the funds in France.

It was funny to read the first part of your email about me. I learned a lot when I was listening to you discussing the cases and how to deal with the defendants like Royal Dutch Shell. That said, as far as I am concerned I did not threatened you nor was there any bully from me.

As you can imagine, it is time for us to investigate the facts.

Regards,

Gerard

On Thu, Jul 30, 2015 at 4:21 AM, Sucharow, Lawrence <LSucharow@labaton.com> wrote:

Gerard,

Do you ever do anything but threaten and try to bully people?

We have told you EXACTLY what is going on. But you say you don't believe us. So what are we to do?

I repeat. None of the Exhibit 1 clients have retained us for Vivendi, nor do we have any undisclosed economic interest in any case any of them may have brought in Europe.

I don't know how else to say it. If you have different information, information, not speculation or hyperbole, please advise. We can't respond to ghosts or bogie men. We deal in facts and the facts are as we have now stated three or more times.

On a personal note, you are the first person in my more than 40 year career to call me a liar.

By the way, you are wrong about funding of cases in France m, for that matter, throughout Europe, as well.

Larry

Sent from my iPhone

On Jul 29, 2015, at 9:50 PM, Gerard Sillam <sillamgerard@gmail.com> wrote:

Larry,

I am getting the email below from Mr. Stocker, that I don't know, who is basically saying "trust us" and "trust me".

It is just a ridiculous email.

The problem is precisely that we don't trust you anymore. Not at all.

We don't believe you when you are saying after 10 days of a so-called "investigation" that none of the clients on the Potential Client List in Exhibit No. 1 that you represented in the US Vivendi Action has retained you to bring an action in Europe, because the informations that we have do not match that statement.

You don't need 10 days to say that: Eric can say that in 5

minutes. You can say that in 5 minutes. You don't need Mr. Stocker to investigate for 10 days, do you?? Why 10 days to reply with that information that you already have personally? Absolutely not credible.

I got Mr. Alfonso on the phone today. He still has an ongoing interest. I suggest that a call between him and Chris happens tomorrow if possible to deal with what we regard as one or more potential litigations, to say the least.

We are doing our best to remain polite and professional but we are upset. Very upset.

We know how to handle the case. We have good reasons to believe that you are lying. You will not be able to conceal something from us. We know how to make the truth crystal clear. And we are talking of litigations and Courts in France, our territory. Your name might not appear on French lawsuits, but we will contact the authorities and they will use their investigative powers. All the clients on Exhibit 1 will be questioned.

Regards,

Gerard

----- Forwarded message -----

From: **Stocker, Michael W.** <MStocker@labaton.com>
Date: Thu, Jul 30, 2015 at 3:07 AM
Subject: Re: Email of July 22
To: Gerard Sillam <sillamgerard@gmail.com>
Cc: "GeoAlfo@aol.com" <GeoAlfo@aol.com>

Gerard, I do not know what else we can tell you to address your concerns.

Let me offer this further assurance: none of the clients on the Potential Client List in Exhibit No. 1 that we represented in the US Vivendi Action has retained us to bring an action in Europe. Not one. We also have no economic interest in any Vivendi claims they may be pursuing in Europe with other counsel.

Moreover, any client that retained us for the US action could easily have retained European counsel to pursue claims if it wished to, especially given the routine availability of legal funding organizations to finance such litigation.

Mike

On Jul 29, 2015, at 4:06 PM, Gerard Sillam <sillamgerard@gmail.com> wrote:

Dear Michael,

First of all, I had no allegation, I was just trying to forward you what Maître Saulnier believes. And what I believe.

I know that your point 3. is correct.

Regarding your points 1. and 2., it seems highly not probable that all the clients that retained Labaton in the US Vivendi case have decided to retain another US law firm in the same Vivendi case in Paris.

And I know they would never pay a mandatory flat or hourly fee to a French law firm, so they have not retained directly a French law firm.

I think that obviously Maître Saulnier will be heading soon toward an ICC arbitration that will include a full discovery. In that case, among other witnesses, the French lawyers that you have hired will have to testify. And the Clients listed on Exhibit 1 who have retained Labaton in the US Vivendi will also have to testify.

I believe there is still the same window till August 5th as described in my previous email.

Sincerely,

Gerard Sillam

On Wed, Jul 29, 2015 at 9:24 PM, Stocker, Michael W. <MStocker@labaton.com> wrote:

Dear Gerard:

I am a partner in, and General Counsel to Labaton Sucharow LLP. Your email of July 22 to our Chairman, Lawrence Sucharow, has been sent to me for investigation and response. I have investigated your allegations and have determined, based on the facts below, that they are without merit.

Here are the facts:

1. The Keller affidavit dated July 8, 2015, which covers the Five Year Period following the Global Settlement Agreement dated December 31, 2009, is accurate in all respects.
2. None of the clients listed on Exhibit 1 to the Global Settlement Agreement are clients we represent in the European Vivendi case.
3. The U.S. Vivendi case is over (dismissed on *Morrison* grounds) as to all of our clients. The clients we represented received no recovery, and we did not receive any fees, or even any reimbursement for our expenses.

Please share this factual information with Maitre Saulnier, as we do not have his contact information, and let me know if you have any further concerns.

Michael Stocker

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